

EXHIBIT 5

From: Richard Lenz <rlenz@oysterbay-ny.gov>
Sent: Monday, December 23, 2024 2:39 PM
To: Gregory Carman; David Shea; psachs@db-eng.com
Cc: Matt Russo
Subject: FW: Initial Response to NYSDEC 11/27 PCB/Metal Data Gap Response Letter

EXTERNAL EMAIL: This message originated from outside the organization. Ensure you trust this sender before clicking on any links or attachments.

Please see the Initial Response from Grumman to NYSDEC dated 11/27/24 regarding PCB/Metal Data Gap Response Letter.
Rich

Richard W. Lenz, P. E.
Commissioner
Department of Public Works
150 Miller Place, Syosset NY 11791
(516) 677-5124



From: Hannon, ED [US] (CO) <Edward.Hannon@ngc.com>
Sent: Monday, December 23, 2024 2:35 PM
To: Johnston, Sarah A (DEC) <Sarah.Johnston@dec.ny.gov>
Cc: Pelton, Jason M (DEC) <jason.pelton@dec.ny.gov>; LaClair, Jess A (DEC) <jess.laclair@dec.ny.gov>; Joel Balmat <jbalmat@verdantas.com>; Rich Poff <rpoff@verdantas.com>; Christina Tuohy <ctuohy@verdantas.com>; Bill Lais <wlais@verdantas.com>; Richard Lenz <rlenz@oysterbay-ny.gov>; Matt Russo <mrusso@oysterbay-ny.gov>
Subject: Initial Response to NYSDEC 11/27 PCB/Meta Data Gap Response Letter

CAUTION: This email originated from outside of our organization! Do not click links, open attachments or reply, unless you recognize the sender's email address and know the content is safe!

Sarah,

We received the Department's 11/27 comment letter regarding Northrop Grumman's 9/27/24 PCB/metals data gap sampling plan for the Park. As offered, we plan to meet with the Department after we complete our evaluation of the Departments Kriging analysis and proposed soil sampling program provided in your letter. In the meantime, as discussed, the Department verbally confirmed, after sending its 11/27 letter, that it did not expect the data gap sampling activities would have commenced last month. The sentence from your letter that we are referring to is highlighted below:

"In accordance with the schedule provided by Northrop Grumman on September 27, 2024, the Part 1 of the Data Gap Sampling and Analysis is scheduled to begin in late November 2024 and be completed in April 2025."

However, without clarification, this comment implies that Northrop Grumman is expected to conduct the data gap sampling activities per the proposed 9/27/24 OU3 schedule, even though that schedule clearly indicates that it assumes no delays outside of Northrop Grumman's control and provides a list of the key schedule assumptions. At least several key predecessor tasks have been delayed or will be delayed outside of Northrop Grumman's control. These include the protracted regulatory review of Northrop Grumman's proposed data gap sampling plan (as recognized by the Department). Further, the expanded data gap sampling program proposed by the Department, which provides for delineation to unrestricted SCOs, was not anticipated in Northrop Grumman's schedule and will therefore extend the schedule as the details of that expanded delineation are worked out and the resulting agreed upon data gap sampling work plan is prepared and approved.

We would appreciate the Department's written confirmation that it does not or did not expect Northrop Grumman to have commenced with the data gap sampling activities commencing in late November, and that Northrop Grumman's 9/27/24 schedule will need to be adjusted once there is a final, agreed upon data gap sampling work plan. Thank you.

Please let me know if you have any questions.

Happy Holidays and Best Regards

Ed Hannon
Northrop Grumman

This message (including any attachments) may contain confidential information and is intended only for the individual or individuals named. If you are not the intended recipient, you should delete this message immediately. If you received this message in error, please notify the sender immediately.